

United States Department of the Interior
Bureau of Land Management

PAGE 1 OF 1 PAGES

1. AGREEMENT NO.
1422 RAA040001

2. TASK ORDER NO.

3. TYPE OF AGREEMENT (Check one)
☐ GRANT
☒ COOPERATIVE AGREEMENT

ASSISTANCE AGREEMENT

NOTE: By signing this document, the recipient accepts this agreement and agrees to perform in accordance with all the enclosed terms, conditions, and documents attached hereto.

4. NAME, ADDRESS AND PHONE NO. OF ASSISTANCE OFFICER

Richard A. Harter
Bureau of Land Management
Office of Fire and Aviation
National Interagency Fire Center
3833 South Development Avenue
Boise, ID 83705-5354
208/387-5360

5. NAME, ADDRESS AND PHONE NO. OF RECIPIENT

National Association of Conservation Districts Service
Department
509 Capitol Court, NE
Washington DC 20002-4946
202/547-6223
Dun & Bradstreet No. 010808392

6. NAME, ADDRESS AND PHONE NO. OF ASSISTANCE REPRESENTATIVE

Al Murphy
Bureau of Land Management
National Interagency Fire Center
3833 South Development Avenue
Boise, ID 83705-5354
208/387-5169

7. NAME, ADDRESS AND PHONE NO. OF RECIPIENT'S PROJECT MANAGER

Eugene Lamb
National Association of Conservation Districts
509 Capitol Court, NE
Washington DC 20002-4946
202/547-6223

8. PROGRAM STATUTORY AUTHORITY P.L. 106-291, P.L. 108-108

9. STARTING DATE Upon date of signature of Assistance Officer - Block 17c

10. EFFECTIVE DATE Upon date of signature of Assistance Officer- Block 17c

11. COMPLETION DATE September 30, 2007

12. TYPE OF RECIPIENT (Check one)

- ☐ STATE
☐ LOCAL GOVERNMENT
☐ INDIAN TRIBAL GOVERNMENT
☐ EDUCATIONAL INSTITUTION
☐ INDIVIDUAL
☐ FOR-PROFIT ORGANIZATION
☒ NON-PROFIT ORGANIZATION
☐ OTHER (SPECIFY)

13. FUNDING INFORMATION

	Recipient	BLM
This obligation	\$ 0.00	\$ 222,000.00
Previous obligation	\$ 0.00	\$ 0.00
Total obligation	\$ 0.00	\$ 222,000.00
Share Ratio	0 %	100 %

14. ACCOUNTING AND APPROPRIATION DATA FA-640-2830-HT-440X-411C - FS Funds
FA-103-2810-HT-065R-411C
FA-103-2823-JM-PJ06-411C

15. PROJECT TITLE AND BRIEF SUMMARY OF THE PURPOSE AND OBJECTIVES

Cooperative Agreement for the purpose of promotion of woody biomass utilization
In accordance with the attached

16a. NAME AND TITLE OF SIGNER (Type or print)

Krysta Harden, Chief Executive Officer, NACD

17a. NAME AND TITLE OF ASSISTANCE ORDERING OFFICER (Type or print)

Richard A. Harter, Supervisory Contracting Officer FA-220

16b. RECIPIENT

16c. DATE SIGNED

17b. UNITED STATES OF AMERICA

17c. DATE SIGNED

BY

Eugene Lamb, acting
(Authorized Signature)

6/2/04

BY

Richard A. Harter

6/3/04



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Office of Fire and Aviation
3833 S. Development Avenue
Boise, Idaho 83705-5354

IN REPLY REFER TO:

June 03, 2004

Mr. Eugene Lamb
National Association of Conservation Districts
509 Capitol Court, NE
Washington DC 20002-4937

Re: Cooperative Agreement No. 1422RAA040001 (BLM)
National Association of Conservation Districts

Dear Eugene:

I am enclosing a fully executed copy of the above referenced agreement for your file.

Please contact me at 208/387-5360 or by email at sherry_garey@nifc.blm.gov, if you have questions regarding billing procedures, or other matters where I can be of assistance. This has truly been a "team" effort and I am pleased that we were able to meet our deadline and goal. I will look forward to working with you also over the next three years.

Sincerely,

Sherry Garey
Grants and Agreements Specialist

cc: John Stewart, DOI-WO
Al Murphy, BLM-OF&A
Bill Horvath, NACD
Fred Deneke, USFS-WO

COOPERATIVE AGREEMENT
between
THE UNITED STATES DEPARTMENT OF THE INTERIOR
THE UNITED STATES DEPARTMENT OF AGRICULTURE, FOREST SERVICE
and
THE NATIONAL ASSOCIATION OF CONSERVATION DISTRICTS

This Agreement is made and entered into by the United States Department of the Interior (DOI), and the United States Department of Agriculture, Forest Service, (USDA-FS), hereinafter referred to as "Federal Agencies," and the National Association of Conservation Districts (NACD), hereinafter referred to as "NACD," for the purpose of working cooperatively in the promotion of woody biomass utilization for restoration and fuel treatments on forests, woodlands and rangelands:

Whereas successful implementation of the 10-year Comprehensive Strategy and the National Fire Plan is a top priority for the Department of Agriculture and the Department of the Interior;

Whereas an open collaborative process among multiple levels of government and a range of interests will help in the fulfillment of the 10-year Comprehensive Strategy;

Whereas President Bush has committed to work with Congress on legislation and has directed Federal agencies to develop administrative tools to restore forests and woodlands to more healthy, natural conditions and to assist in executing core components of the National Fire Plan;

Whereas the Department of Energy (DOE) and the Department of Agriculture have established a biomass research initiative guided by the Biomass R&D Act of 2000 (P.L. 106-224) and Executive Order 13134; these actions established a legislative mandate for the Biomass Research & Development Initiative, which includes both the USDA Forest Service and the Department of the Interior as participating agencies;

Whereas the Department of the Interior, the Department of Agriculture and the Department of Energy signed a "Memorandum of Understanding on Policy Principles for Woody Biomass Utilization for Restoration and Fuel Treatments on Forest, Woodlands, and Rangelands" (MOU) on June 18, 2003, to encourage the utilization of woody by-products of forest and range hazardous fuel reduction and restoration treatments;

Whereas this agreement seeks to support the MOU through a comprehensive information delivery, technology transfer and public outreach program on National Fire Plan goals and the role of woody biomass utilization;

Therefore, we enter this Agreement as described herein:

I. STATEMENT OF JOINT OBJECTIVES

A. PURPOSE

1. To encourage hazardous fuel reduction and to develop, promote, and improve woody biomass utilization in order to reduce catastrophic wildland fires and restore forest, woodland, and rangeland health.
2. To increase public understanding of the social, economic, environmental and aesthetic benefits gained by using woody biomass as a means of reducing fuel buildup on public lands.
3. To promote and encourage the use of woody biomass through the NACD and particularly its nearly 3,000 Conservation Districts throughout the United States.

B. OBJECTIVES

1. To help achieve elements of the 10-Year Comprehensive Strategy, the National Fire Plan, and the Healthy Forests Initiative.
2. To identify and implement steps that will assist in woody biomass utilization based upon the policies and principles identified in the "Memorandum of Understanding on Policy Principles for Woody Biomass Utilization for Restoration and Fuel Treatments on Forests, Woodlands, and Rangelands," among DOI, USDA and DOE dated June 18, 2003.
3. To encourage private sector development of woody biomass products and assist local communities in finding methods to use woody biomass to enhance local economies and reduce fuels hazards.

C. AUTHORITY

1. Department of the Interior and Related Agencies Appropriation Act for FY 2001 and subsequent years (P.L. 106-291) (P. L. 108-108, Title I and Title II, Wildland Fire Management, and Title II, State and Private Forestry).
2. Federal Land Policy and Management Act (P.L. 94-579, 90 STAT. 2743; 43 U.S.C. 1701 et. seq.).
3. Cooperative Forestry Assistance Act of 1978, (P.L. 95-313, 92 Stat. 365, as amended).
4. Healthy Forests Restoration Act of 2003, (P.L. 108-148, Title I, funding authorization).
5. By-Laws of NACD.

D. STATEMENT OF MUTUAL BENEFIT AND INVOLVEMENT

The Conference Report for FY 2001 Interior and Related Agencies Appropriations Act (P.L. 106-291), and as highlighted in the "10-Year Comprehensive Strategy Implementation Plan," signed by the Secretaries of Agriculture and the Interior, the Western Governors and other stakeholders in May 2002, states in part:

"...The Secretaries should also work with the Governors on a long-term strategy to deal with the wildland fire and hazardous fuels situations, as well as the needs for habitat restoration and rehabilitation in the Nation. The [U.S. Congressional] managers expect that a collaborative structure, with the States and local governments as full partners, will be the most efficient and effective way of implementing a long-term program.

The managers direct the Secretaries to engage Governors in a collaborative structure to cooperatively develop a coordinated, National ten-year comprehensive strategy with the States as full partners in the planning, decision-making, and implementation of the plan.

Key decisions should be made at local levels..."

This agreement will benefit the Department of Agriculture and the Department of the Interior by assisting in the implementation of the National Fire Plan and the President's Healthy Forests Initiative. This agreement will also benefit the Federal agencies implementing the National Energy Policy by assisting in reaching its goals for the diversification of the Nation's energy supply, which includes biomass utilization.

The activities undertaken through this agreement are mutually beneficial to the Federal agencies and NACD by the enhancement of communications between and among the Federal agencies and the local communities; by the establishment of new partnerships and through increased public awareness and involvement. This agreement will assist in expanding the knowledge base for woody biomass utilization technology with business owners, private landowners, local community leaders and others who have an interest in the successful implementation of the National Fire Plan, National Energy Policy, and Healthy Forest Initiative with woody biomass utilization. This assistance will help attain the goal of all stakeholders of healthier watersheds, enhanced community protection, and diminished risk and consequences of severe wildland fires.

The NACD will serve as a facilitator between Federal agencies and State conservation districts regarding biomass. Conservation Districts are subdivisions of State governments and operate at the local level. These local districts have existing and extensive working relationships with State resource agencies, local governments, and local private sectors.

II. DEFINITIONS

- A. Agreement: This Cooperative Agreement.
- B. Assistance Officer (AO): The BLM-OF&A's Assistance Officer. The AO is the only individual authorized to obligate funds, award, modify or terminate the agreement or any Task Order (TO) thereto. The AO is responsible for issuing modifications, TOs, monitoring the agreement and TOs for compliance, enforcing the agreement provisions, issuing timely performance and payment approvals, terminating the agreement or any TO thereto and closing out the agreement.
- C. Assistance Representative (AR): The BLM-OF&A's Assistance Representative. The AR will be designated for the purpose of administering the technical aspect of the agreement. The AR is authorized to clarify technical requirements, and to review and approve work that is clearly within the scope of the work specified in the agreement. The AR is not authorized to issue changes or in any other way modify this agreement.
- D. BLM-OF&A: The Bureau of Land Management's Office of Fire and Aviation located at the National Interagency Fire Center, Boise, Idaho.
- E. CFR: Code of Federal Regulations
- F. Fiscal Year (FY): The Federal fiscal year, which extends from October 1 of one year through September 30 of the following year.
- G. National Association of Conservation Districts (NACD): The National non-profit membership organization for the nearly 3,000 conservation districts throughout the United States.
- H. National Fire Plan: The agreed upon plan by the U.S. Department of the Interior agencies, the U.S. Department of Agriculture-Forest Service and the National Association of State Foresters, which includes a 10-year implementation strategy.
- I. Not-to-Exceed Amount (NTE): The maximum Federal funding.
- J. OMB: The Office of Management and Budget.
- K. Recipient: the National Association of Conservation Districts (NACD).
- L. Woody Biomass: Trees and woody plants, including limbs, tops, needles, leaves and other woody parts grown in a forest, woodland, or rangeland environment, that are the by-products of restoration and hazardous fuel reduction treatments.
- M. Woody Biomass Utilization: Woody biomass utilization is the harvest, sale, offer, trade, and/or utilization of woody biomass to produce the full range of wood products, including timber, engineered lumber, paper and pulp, furniture and value-added commodities, and bio-energy and/or bio-based products such as plastics, ethanol and diesel.

III. PROJECT MANAGEMENT PLAN

A. NACD agrees to:

1. Provide annual financial accountings and, at the request of the Federal agencies, a quarterly financial accounting of expenditures and progress on completion of the objectives and related tasks. Financial reporting will be completed in accordance with the provisions of OMB Circular A-110.
2. Prepare project and financial management plans for each fiscal year covered under this agreement. Each yearly project and financial management plan will incorporate, as appropriate, objectives and the actions identified to meet those objectives set forth in the following Section III.B. and the annual Work Plan that is incorporated by reference.

B. NACD will, in furtherance of the objectives, do the following:

Objective 1: Utilize the expertise of conservation districts in an education, public outreach and technology transfer effort to encourage hazardous fuel reduction, and utilization of woody biomass, and to encourage private entrepreneurs to develop woody biomass products and assist local communities in finding methods to use woody biomass to enhance local economies. Specific actions include:

1. Secure prepared material from Federal agencies, academia, the private sector and/or cooperators for use by local districts to reach local public target audiences on the impact of fire, implementation of the National Fire Plan, mechanical fuel treatment and utilization of woody biomass.
2. Establish collaborative efforts with the Montana Department of Natural Resources and Conservation, Oregon Soil and Water Conservation Commission and/or others to develop successful collaborative models emanating from the National Fire Plan to be shared with conservation districts across the Nation.
3. Prepare and/or provide appropriate written materials, with technical advice from Federal agencies, on mechanical fuel treatment and woody biomass utilization for use by local districts in newsletters and annual reports.
4. In coordination with Federal agencies, develop a Woody Biomass Utilization Outreach Program to local communities to feature the use of small diameter wood as a way to reduce fuel treatment costs.
5. Develop, prepare or disseminate information on grants and funding programs for woody biomass utilization that can be used by local districts to encourage investment by private entrepreneurs, or State, County and/or local governments in support of this objective.
6. Assist in organizing and conducting field tours for the public, officials, and others to showcase successful fuel reduction, forest restoration and woody biomass utilization and technologies.

7. Develop appropriate radio public service announcements for distribution and use at the local level by conservation districts.

Objective 2. Utilize conservation districts with their extensive public outreach capacity to assist the public and local communities in understanding the economic, social, environmental and aesthetic impacts of wildland fire resulting from excess buildup of woody fuels, while considering the benefits of woody biomass utilization. Specific actions include:

1. Secure written material from Federal agencies, academia, private sector and/or cooperators on woody biomass utilization suitable for use by local districts.
2. Plan, organize, and hold a national conference in FY 2005 and regional conferences, as appropriate and agreed upon by the parties concerned. Participants will be from NACD, conservation districts, Federal agencies, private business and others. The conference will encourage woody biomass fuels reduction, woody biomass use and technology, and highlight the social and economic benefits of biomass utilization.
3. Develop and distribute a publication, with technical advice from Federal agencies suitable for use in elementary and secondary schools on woody biomass and its role in fire.
4. Develop, in cooperation with the Bureau of Land Management and USDA Forest Service, outreach materials targeted towards private entrepreneurs and conservation districts on stewardship contracting procedures and opportunities. The goal would be to develop an informed and experienced pool of contractors.
5. Develop, as agreed to by webmasters, comprehensive cross-links and/or web list-serve messages to link websites between Federal agencies, NACD and appropriate energy and woody biomass utilization websites, and market web page links through conservation districts.
6. Prepare and distribute material, with technical advice from federal agencies, on hazardous fuel reduction and woody biomass utilization for national, regional and local print and broadcast media outlets.
7. Provide appropriate briefing and background materials for media.
8. Prepare media releases for distribution by local districts on hazardous fuel reduction and woody biomass utilization, and prepare other materials for use in district newsletters and annual reports (please reference Special Terms and Conditions, Section IX.J. regarding pre-approval of certain public information).
9. Use national NACD publications (such as "Buffer Notes", "Forestry Notes", and "News & Views") to disseminate information regarding hazardous fuel reduction and woody biomass utilization to key audiences.
10. Provide information for inclusion in the DOI and USDA Annual Performance Reports to Congress.

11. Develop a "Speaker's Bureau" on woody biomass utilization, the National Fire Plan and the President's Healthy Forest Initiative for use by a variety of agencies, organizations and associations.

C. The Federal Agencies agree to:

1. Meet, or otherwise communicate, with NACD to provide technical advice in support of the purpose, goals and objectives of the agreement.
2. Meet with NACD annually, and as requested and warranted, to review/monitor work and progress, and make any corrections/changes, as appropriate and agreed upon.
3. Assign an Assistance Representative (AR) at the National level to administer the agreement.
4. Assist NACD in obtaining appropriate background information, photographs, and other information necessary to achieve agreement goals and objectives. Federal webmasters will work with NACD to develop comprehensive cross-links between Federal agencies, NACD and appropriate energy and woody biomass utilization websites, and market web page links through conservation districts.
5. Obligate funding on a Federal fiscal year basis, and for additional services and changes to the Work Plan, as warranted and appropriate, by modifications to this agreement. Funding is subject to the availability of appropriations by the U.S. Congress to the Federal agencies and acceptable completion of tasks identified for each Objective in the Work Plan by the recipient. Funds obligated, but not expended in one FY can be carried forward and expended in the subsequent FY.

National Fire Plan funding in the amount of \$222,000 is available for the FY 2004 effort - \$110,000 from DOI and \$112,000 from USDA Forest Service. The budget estimate for FY 2005 is \$312,000 - \$156,000 from DOI and \$156,000 from USDA Forest Service; and \$276,000 for FY 2006 - \$138,000 from DOI and \$138,000 from USDA Forest Service.

These amounts represent the Not-to-Exceed (NTE) amount for which the Federal agencies (DOI and USDA) will be responsible for under the terms of this agreement, subject to funding availability. The agencies shall not be obligated to pay for, nor shall NACD be obligated to perform any effort that will require the expenditure of Federal funds above the NTE amounts.

D. The Federal Agencies and NACD agree to:

1. Recognize the Bureau of Land Management's Office of Fire and Aviation located at the National Interagency Fire Center, Boise, Idaho as the fiscal and administrative agent for the Department of the Interior and the Department of Agriculture for the purpose of this agreement.

2. Cooperate and, as appropriate, share resources, information and technical expertise to the extent consistent with Federal law to accomplish the goals and purposes stated in this agreement.
3. Meet, and/or conference call, to assess the collaborative efforts of this agreement on an annual basis, at a minimum, after the Federal agencies' respective annual Appropriations Acts have been approved.
4. Communicate through conferences, meetings, telephone, facsimile, e-mail and other means. Each agency/organization will designate an individual to coordinate these activities on a national level, and will update the Key Officials (Points-of-Contact) listing for this agreement for their respective agency or organization during the above annual assessment review, or as warranted.

IV. TERM OF AGREEMENT

This agreement will become effective upon the date of signature by the BLM Assistance Officer, and will terminate on September 30, 2007, unless terminated in accordance with the provisions of OMB Circular A-110. Either party may initiate, in writing, terminate this instrument in whole, or in part, at any time before the date of expiration upon sixty- (60) days written notice of such termination. Neither party shall incur any new obligations for the terminated portion of the instrument after the effective date and shall cancel as many obligations as possible. Full credit shall be allowed for each party's expense and all non-cancelable obligations properly incurred up to the effective date of termination. This agreement may be renewed for subsequent fiscal years, not to exceed a total of five (5) years, by mutual agreement and written modification to this agreement, subject to the availability of Federal funding. The modification(s) shall not take effect until documented and signed by all signatories to this agreement.

V. PAYMENTS

A. Electronic Funds Transfer Payments

1. Payment under this agreement will be made by the Government by electronic funds transfer (through the Treasury Fedline Payment System (FEDLINE) of the Automated Clearing House (ACH)), which requires registration by the Recipient in the Federal Central Contractor Registration (CCR) database.
2. After award, but no later than 14 days before an invoice or agreement financing request is submitted, the Recipient shall designate a financial institution for receipt of electronic funds transfer payments (SF-3881), and shall submit this designation to the BLM National Business Center (NBC) at the following address:

U.S. Department of the Interior
Bureau of Land Management
National Business Center, BC-630
Denver Federal Center, Bldg. 50
PO Box 25047
Denver CO 80225-0047

3. If a designation has been submitted to NBC under a previous agreement, it is not necessary to complete another SF-3881 unless you are changing your designation of financial institution.
- B. NACD shall be entitled to reimbursement or advance payment at least quarterly upon submission of an original Request for Advance or Reimbursement, Standard Form (SF) 270 to the AR. Payments shall be governed by the provisions of 43 CFR Subpart F, Section 12.922 and 12.952.
- C. If advance payments are made, NACD must submit a Federal Cash Transaction Report, SF 272 to AO 15 working days following the end of each quarter.
- D. Advance payments shall be made only in amounts necessary to meet current disbursement needs and shall be scheduled so that the funds are available only immediately prior to disbursement.
- E. Any income to NACD from activities directly related to this agreement shall be used to further the purposes of this agreement.

VI. DELIVERABLES

- A. NACD will provide to the Assistance Representative (AR) a quarterly report of actions undertaken, by task order for each of the objectives, copies of all printed material developed and distributed, schedules and agendas for the yearly national conference, and other material relating to this agreement as may be appropriate in accordance with the provisions of OMB Circular A-110. NACD will conduct an annual review of progress with the Assistance Representative and other appropriate officials.
- B. NACD will develop a communication plan to track significant or targeted activities by the conservation districts participating under this agreement, and share these accomplishments annually or quarterly, as requested by the Federal agencies.
- C. Submit one copy of an annual performance report to the Assistance Representative within 90 days after the end of the FY. The performance report must be prepared in accordance with the provisions of OMB Circular A-110 and address items such as a comparison of actual accomplishments with established goals, explanation why goals may not have been met, cost overruns and any other pertinent information

VII. KEY OFFICIALS

Assistance Officer (AO)

Richard A. Harter
Bureau of Land Management
Office of Fire and Aviation
National Interagency Fire Center
3833 South Development Avenue
Boise ID 83705-5354
208/387-5546 – Office
208/387-5574 – Fax
rich_harter@nifc.blm.gov

Recipient Project Management

Eugene Lamb
National Association of Conservation
Districts
509 Capitol Court, NE
Washington DC 20002-4937
202/547-6223 – Office
202/547-6450 – Fax
eugene-lamb@nacdn.net

U.S. Department of Agriculture – Forest Service Project Contact

Fred Deneke
Cooperative Forestry Management
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202/205-1271 – Fax
fdeneke@fs.fed.us

Assistance Representative (AR)

Al Murphy
Bureau of Land Management
Office of Fire and Aviation
National Interagency Fire Center
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Recipient Administrative Contact

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Districts
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eugene-lamb@nacdn.net

U.S. Department of the Interior Project Contact

John Stewart
Office of Wildland Fire Coordination
1849 C. Street, NW, MS MIB-3060
Washington DC 20240
202/606-0504 – Office
202/669-5858 – Cell
202/606-3150 – Fax
john_stewart@ios.doi.gov

VIII. SPECIAL TERMS AND CONDITIONS

- A. Order of Precedence - Any inconsistency in this agreement shall be resolved by giving precedence in the following order: (a) requirements of the applicable OMB Circulars and Treasury regulations; (b) 43 CFR Part 12; (c) any national policy requirements and administrative management standards; and (d) all agreement sections, documents, exhibits and attachments, and special terms and conditions.
- B. Modifications - This agreement may be modified by written agreement signed by both an authorized official from NACD and the Assistance Officer.
- C. Officials Not to Benefit - No member or delegate to Congress, or resident commissioner, shall be admitted to any share or part of this agreement, or to any benefit arising from it.
- D. Procurement Procedures - It is a national policy to place a fair share of purchases with minority business firms. The Department of the Interior and the Department of Agriculture are strongly committed to the objectives of this policy and encourage all recipients of its grants and cooperative agreements to take affirmative steps to ensure such fairness. Positive efforts shall be made by recipients to use small businesses, minority-owned firms, and women's business enterprises, whenever possible. Recipients of Federal awards shall take all of the following steps to further this goal:
 - 1. Ensure that small businesses, minority-owned firms, and women's business enterprises are used to the fullest extent practicable.
 - 2. Make information on forthcoming opportunities available and arrange timeframes for purchases and contracts to encourage and facilitate participation by small businesses, minority-owned firms, and women's business enterprises.
 - 3. Consider in the contract process whether firms competing for larger contracts intend to subcontract with small businesses, minority-owned firms, and women's business enterprises.
 - 4. Encourage contracting with consortiums of small businesses, minority-owned firms, and women's business enterprises when a contract is too large for one of these firms to handle individually.
 - 5. Use the services and assistance, as appropriate, of such organizations as the Small Business Development Agency in the solicitation and use of small businesses, minority-owned firms and women's business enterprises.
- E. Non-Discrimination - All activities pursuant to this Agreement shall be in compliance with the requirements of Executive Order 11246; Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000(d) *et seq.*); Title V, Section 504 of the Rehabilitation Act of 1973 (87 Stat. 394; 29 U.S.C. 794), as amended by the Americans With Disabilities Act; the Age Discrimination Act of 1975 (89 Stat. 728; 42 U.S.C. 6101 *et seq.*); and with all other federal laws and regulations prohibiting discrimination on grounds of race, color, sexual orientation, national origin, disability, religion, age or sex.

IX. GENERAL PROVISIONS

- A. National Policy Requirements and Administrative Management Standards. All applicable national policy requirements and administrative management standards as set forth in the Office of Management and Budget, Financial Management Division, Directory of Policy Requirements and Administrative Standards for Federal Aid Programs are incorporated by reference.
- B. 43 CFR Part 12, Administrative and Audit Requirements and Cost Principles for Assistance Programs are incorporated by reference.
- C. OMB Circular A-122, Cost Principles for Nonprofit Organizations is incorporated by reference.
- D. 43 CFR Part 12, Appendix A to Subpart D, Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transaction and completed Form DI-2010 are incorporated by reference.
- E. 43 CFR Part 12, Appendix C to Subpart D, Certification Regarding Drug-Free Workplace Requirements, Alternate I (Grantees other than individuals) and completed Form DI-2010 are incorporated by reference.
- F. 31 U.S.C. 1352, Certification Regarding Lobbying and completed Form DI-2010 are incorporated by reference.
- G. 31 U.S.C. 750 1-7 and 43 CFR, Part 12, Single Audit Act Amendments of 1996, Public Law 104-156, 110 Stat. 1396, is incorporated by reference.
- H. Sec. 307, Department of the Interior and Related Agencies Appropriations Act. In compliance with the Buy American Act, be advised of the following:
 - 1. None of the funds made available in this agreement may be expended by a recipient unless the recipient agrees that in expending the funds the recipient will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c; popularly known as the "Buy American Act").
 - 2. Purchase of American-made equipment and products. In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.
 - 3. Recipient also agrees to follow the procedures in 43 CFR Part 12, Subpart E, Section 12.700 - Buy American Requirements for Assistance Programs.
- I. Anti-Lobbying – Opposition to Legislation. Recipient shall not use any part of the Government's funds for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which Congressional action is not complete.

- J. Endorsements. Recipient shall not publicize or otherwise circulate, promotional material (such as advertisements, sales brochures, press releases, speeches, still and motion pictures, articles, manuscripts or other publications) which states or implies governmental, Departmental, bureau, or government employee endorsement of a product, service, or position which the recipient represents. No release of information relating to this award may state or imply that the Government approves of the recipient's work products, or considers the recipient's work product to be superior to other products or services.

All information submitted for publication or other public releases of information regarding this project shall carry the following disclaimer:

The views and conclusions contained in this document are those of the authors and should not be interpreted as representing the opinions or policies of the U.S. Government. Mention of trade names or commercial products does not constitute their endorsement by the U.S. Government.

Recipient must obtain prior Government approval for any public information releases concerning this award, which refer to the Department of the Interior or any bureau or employee (by name or title). The specific text, layout photographs, etc. of the proposed release must be submitted with the request for approval.

A recipient further agrees to include this provision in a sub-award to and sub-recipient, except for a sub-award to a State government, a local government, or to a federally recognized Indian tribal Government.

- K. Increasing Seat Belt Use in the United States. Recipients of grants/cooperative agreements and/or sub-awards are encouraged to adopt and enforce on-the-job seat belt use policies and programs for their employees when operating company-owned, rented, or personally owned vehicles. These measures include, but are not limited to, conducting education, awareness, and other appropriate programs for their employees about the importance of wearing seat belts and the consequences of not wearing them.

- L. Title I, Administrative Provisions of the current Appropriations Act, contains the following language:

"Notwithstanding 44 USC 501, the Bureau may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly-produced publications for which the cooperators share of the cost of printing either in cash or services, and the Bureau determines the cooperator is capable of meeting acceptable quality standards."

Appendix

Memorandum of Understanding on Policy Principles for Woody Biomass Utilization for Restoration and Fuel Treatments on Forests, Woodlands, and Rangelands," among DOI, USDA and DOE dated June 18, 2003

FY 2004-2005 Annual Project Work Plan

WORK PLAN

National Association of Conservation Districts

A Collaborative Approach Using America's 3,000 Conservation Districts for Woody Biomass Utilization, Restoration and Fuel Treatments on Forests, Woodlands and Rangeland

Abstract

The goals of the 10-year National Fire Plan are:

- Improve Fire Prevention and Suppression
- Reduce Hazardous Fuels
- Restore Fire-Adapted Ecosystems
- Promote Community Assistance

Conservation districts are collaborating with the US Department of Interior, BLM, Forest Service, State Forestry Agencies and county government to assist in implementing the plan. The purpose of this cooperative agreement is to assist in woody biomass treatment and utilization in a collaborative effort with federal and state agencies and the private sector. The second purpose of this cooperative agreement is to assist implementing the National Fire Plan using conservation districts for a national outreach program to increase public understanding of the social, economic, environmental and aesthetic consequences of wild fire. The project is designed to extend over a three-year period.

Background

Founded in 1946, NACD is a non-governmental, non-profit membership organization that serves as the national voice for the 3,000 conservation districts. It advocates for the district approach to resource issues and facilitates relationships between federal resource agencies and local districts. Conservation districts, with titles such as soil and water, soil conservation, resource conservation and natural resource conservation districts are subdivisions of state government operating at the local level. Almost all were created by action of state legislatures during the period 1937-1950.

Conservation districts are normally established on a county boundary although some are multi-county or are established on a watershed basis. The 3,000 districts blanket the US, Puerto Rico, Virgin Islands, Guam and the Mariana Islands and are governed by approximately 17,000 locally elected and/or appointed officials. They have approximately 7,000 staff and receive more than one billion in state and county funds to operate their programs. Many also are involved with federal grants for resource management. Districts have extensive working relationships with federal and state resource agencies and most often have written agreements to facilitate that relationship.

NACD conducted an inventory of district activities in forestry in 1999-2000. Over 1900 districts completed the 51-question survey. The surveys found over 50% have extensive forestry programs. About 20% or 600 districts consider forests their prevalent land cover. Four hundred seventy-five have portions of their districts in public lands. A little over 1,100 districts reported they regularly held joint planning meetings with state forestry agencies, and over 700 have formal agreements calling for that collaboration.

Conservation districts have historically utilized federal and other programs to achieve resources objectives and are authorized by state statutes to assist private landowners and entrepreneurs, enter into contracts to achieve public benefits and may work on public lands as well.

Since 1962, districts have been the primary sponsors for Resource Conservation & Development projects (RC&Ds) that now literally blanket the US. RC&D projects are utilized extensively for project approaches, which transcend conservation district boundaries. These projects focus on primarily on natural resource issues and objectives.

Conservation districts historically conduct extensive outreach and information programs, reporting in the inventory that 1,114:

- Use regular newspaper columns;
- Regularly prepare newspaper articles on forestry;
- Feature forestry articles in district newsletters;
- Use TV programs;
- Have regular radio programs; and
- Other methods.

The US Department of the Interior, the US Department of Agriculture and the Department of Energy signed a Woody Biomass Memorandum of Understanding (MOU) on June 18, 2003. The intent of that MOU was to encourage the utilization of woody by-products of forest and range hazardous fuel reduction and restoration treatments. The following Proposal seeks to support that MOU through a comprehensive delivery and outreach program. For the purposes of this Proposal, woody biomass is defined as the tress and woody plants, including limbs, tops, needles, leaves, and other woody parts, grown in a forest, woodland, or rangeland environment, that are the by-products of restoration and hazardous fuel reduction treatments. In this Proposal, woody biomass utilization is defined as the harvest, sale, offer, trade, and/or utilization of woody biomass to produce the full range of wood products, including timber, engineered lumber, paper and pulp, furniture and value-added commodities, and bio-energy and/or bio-based products such as plastics, ethanol, and diesel.

The Proposal

Woody biomass is the primary fuel for wildfire as identified by DOI & USDA. Reduction and/or utilization of that woody biomass are a primary objective in National Fire Plan efforts to reduce catastrophic wildfire. Woody biomass utilization is also a key part of the President's Healthy Forest Initiative, which seeks to restore forest and rangeland health. This woody biomass occurs on public and private lands.

This proposal has two components. The first is to utilize conservation districts in an effort to encourage utilization of woody biomass and actively reduce fuel build-up. The second is to utilize districts in their extensive public outreach capacity to assist the public in understanding the economic, social, environmental and aesthetic impacts of wildfire because of excess buildup of woody biomass fuels, while considering the associated benefits of woody biomass utilization.

The project is designed to be carried out over a three-year period with several different elements produced in each of the three years.

YEAR ONE (2004-2005)

Task #1 – Capacity Building

The following subtasks include work necessary to restructure and enhance NACD's existing infrastructure to accomplish the objectives of the proposal. This includes its communication infrastructure; re-design of databases; and communication tools. It also includes exploring the infrastructure to engage districts and Resource Conservation and Development Districts (RC&D) across state and regional lines necessary for them to be full collaborative partners with federal and state agencies involved in woody biomass issues. It includes building the necessary agreement for districts and RC&Ds to fully engage in the National Fire Plan and woody biomass utilization and restoration activities.

1. NACD will evaluate its inventory of districts to determine the level of their involvement or potential to develop woody biomass reduction and utilization projects and deliver public information on fire. Gaps will be determined and designs begun to bridge these gaps.
2. NACD will communicate with districts on all facets of woody biomass utilization and reduction and the National Fire Plan and ascertain their interest in participation.
3. NACD will develop an electronic database system for the purpose of providing information to districts. NACD already has an extensive mail system with districts for that purpose.
4. Agreements will be reached with the National Association of Counties, National Governors Association and the principal agencies in the National Fire Plan to determine the priority for getting information to the public through conservation districts.
5. Agreements will be reached on joint activities with the National Association of RC&D Councils for the purpose of collaborative programming.
6. A coordination mechanism will be developed within conservation districts, state associations and state soil and water conservation agencies to facilitate communications.
7. NACD will develop a collaborative approach utilizing four of its standing resource committees to fully engage the NACD system in the process, policy development, and activity plans. This will include its Water Resources Committee; Urban, Urban, Community and Coastal Resources Committee; Grazing Lands and Public Lands Committee; and Environment and Resource Policy Committee.
8. NACD will collaborate with the National Interagency Fire Center to match up districts with the area determined to be key areas for fuel reduction.
9. NACD will prepare and/or provide appropriate written materials on implementing the National Fire Plan, mechanical fuel treatment and woody biomass utilization for use by conservation districts in reaching their local publics.
10. NACD will prepare and distribute four inserts for Forestry Notes on woody biomass aimed at conservation districts and Resource Conservation and Development Councils (RC&D).
11. NACD will secure written material on woody biomass for use by conservation districts and RC&Ds and post the availability on NACD's website.
12. NACD will begin preliminary planning for two Regional Conferences on woody biomass fuel reduction and utilization in 2005 with the National Association of RC&Ds, DOI, USDA agencies and others on woody biomass fuels reduction and utilization. Montana and Alabama appear to be the highest priority; with Minnesota and Wisconsin as strong candidates. Where appropriate, the NACD will coordinate with RC&D State or regional associations in planning the Conferences.
13. Conservation districts in Montana have collectively the most experience with the National Fire Plan and woody biomass fuel reduction and utilization. Collaborative efforts will be made with the Montana Department of National Resources and Conservation and the State Association of RC&Ds to develop models for collaborative efforts and projects involving conservation districts and RC&Ds to reduce woody biomass fuel loads and utilization projects. NACD will identify other collaborative approaches involving conservation districts, RC&Ds and other partners to assist in developing the models.
14. Preliminary work will begin to develop a "Comic Book" style low cost publication to add to NACD's list of publication suitable for use in schools on woody biomass and its role in fire and forest restoration.

Task #2 – Communication Tools

The following subtasks include development of strategic Communication Tools to provide useful, locally specific information on all aspects of the National Fire Plan. Specific focus areas will address threats of catastrophic

wildfire, the need to reduce hazardous fuels through a locally developed program, and the development of a sustainable woody biomass utilization market to reduce environmental and economic costs.

1. NACD will assist BLM, the Fish and Wildlife Service and the USDA Forest Service in developing outreach materials explaining the importance and value of stewardship contracting: e.g., trading of goods for services in a long-term contract as a means of accomplishing fuel load reductions. NACD will also identify examples of successful conservation district and RC&D involvement in stewardship contracting and communicate those examples to stimulate action at the local level.
2. NACD will use its website to cross link with principal agencies in the National Fire Plan and woody biomass reduction and utilization. Using NACD's communicate network, those links will be publicized monthly.
3. NACD will produce information on woody biomass reduction and utilization in connection with the National Fire Plan success stories for national media outlets.
4. NACD will prepare materials for district use in their newsletters and annual reports to carry out the outreach function.
5. NACD will prepare press releases for districts on the cost of fires, mechanical fuel treatment to achieve hazardous fuels reduction, utilization of woody biomass and impact of National Fire Plan. These press releases will be used in local papers or other local media, i.e. fill in the blank type releases utilizing the local district names.
6. Working with fire and forestry staff at DOI's Office of Wildland Fire Coordination, DOI's Bureaus and the USDA Forest Service, NACD will develop a woody biomass outreach program utilizing small diameter wood as a way to reduce the cost of wildfire suppression and pre-treatment.
7. NACD will catalog information on grants and funding programs for woody biomass reduction and utilization and make it available to districts and others, through NACD's web site. The catalog will include information about tax credits and other business development and economic incentives, as well as links to DOI and USDA grant program summaries and the Rural Information Center.

Task #3 – Delivery

The following subtasks include the actual costs of production for communication tools, salary and administrative costs to deliver the products to state, local agencies and local conservation districts and the general public, and the support and maintenance of communications systems, networks and databases.

1. NACD will use *NACD News & Views*, its national outreach publication, to disseminate information on the National Fire Plan to a broader audience. News & Views goes to 27,000 people including Congressional offices.
2. NACD will use Forestry Notes and its website as its communication system to keep its federal partners aware of development in the National Fire Plan.

Task #4 – Reporting

The following subtasks include development and/or assistance in reporting National Fire Plan accomplishments for the annual performance report to Congress.

1. NACD will assist development of materials such as success stories summaries of activities and outputs from this Proposal for inclusions in the Department of the Interior and USDA Forest Service annual performance reports to Congress on the National Fire Plan.

YEAR TWO (2005-2006)

1. NACD will continue a collaborative approach utilizing four of its standing resource committees to fully engage NACD system in the process. This will include its Water Resource Committee; Urban, Community and Coastal

Resources Committee; Grazing Lands and Public Lands Resources Committee; and Environment and Resource Policy Committee.

2. NACD will collaborate with the National Interagency Fire Center to match up districts with the area determined to be key areas for fuel reduction.
3. NACD will prepare press releases for districts on the cost of fires, mechanical fuel treatment to achieve hazardous fuels reduction, utilization of woody biomass and impact of National Fire Plan. These press releases will be used in local papers or other local media, i.e. fill in the blank type releases utilizing the local district names.
4. NACD will prepare materials for district use in their newsletters and annual reports to carry out the outreach function.
5. NACD will secure prepared material for use by districts for reaching their local public on the impact of fire, woody biomass reduction and utilization, and material relative to implementing the National Fire Plan.
6. Working with the office of Wildland Fire Coordination and USDA Forest Service staff, NACD will continue a woody biomass outreach program utilizing small diameter wood as a way to reduce the cost of fire.
7. NACD will produce National Fire Plan and woody biomass reduction and utilization success stories for national media outlets.
8. NACD will use Forestry Notes as its communication system to keep its federal partners aware of development in the woody biomass reduction and utilization and Fire Plan.
9. NACD will use *NACD News & Views* its national outreach publication to designate information on the National Fire Plan and impact of fire to a broader audience. News & Views goes to 27,000 people including our Congressional offices.
10. NACD will produce and coordinate a "Speakers Bureau" on the woody biomass and National Fire Plan to be shared with the principal agencies involved, the National Association of Counties and the 3,000 conservation districts and affiliated 54 state associations. The purpose of the Speakers Bureau will be to assist in securing qualified speakers on the subject of woody biomass and the National Fire Plan for events where the public is invited.
11. NACD will use its website to cross link with principal agencies and others in the National Fire Plan and woody biomass.
12. NACD will feature woody biomass reduction/utilization and the National Fire Plan at its annual and regional meetings and assist in securing presentations at appropriate state association affiliate annual meetings.
13. Conservation districts have extensive relationships with schools. NACD will scope out and prepare a special publication on fire hazard reduction for use by schools.
14. NACD will develop a follow-up publication to its 2002 booklet "Conservation District Role in Implementing the National Fire Plan". This was developed before the implementation strategy was released. A new publication would develop the strategy for public outreach utilizing districts, stressing the need for district involvement. It would include success stories involving conservation districts.
15. NACD will assist in organizing and conducting field tours for the public to demonstrate fuel reduction, forest restoration and woody biomass thinning projects.
16. NACD will provide materials and briefing papers for the media on woody biomass.
17. NACD will publicize the costs of fire to major magazines, making contact with editors for possible stories and articles.
18. NACD will provide information for inclusion in the DOI and USDA annual performance reports to Congress.

19. NACD will hold two Regional Conferences on woody biomass fuel reduction and utilization in 2005 with the National Association of RC&Ds, DOI, USDA agencies and others on woody biomass fuels reduction and utilization. Montana and Alabama appear to be the highest priority; with Minnesota and Wisconsin as strong candidates. Where appropriate, the NACD will coordinate with RC&D State or regional associations in planning the Conferences
20. NACD will develop a strategy and guidance for district involvement in state Fire Wise Committees.

YEAR THREE (2006-2007)

1. NACD will continue a collaborative approach utilizing of its standing committees to fully engage NACD system in the process. This will include its Water Resources Committee; Urban, Community and Coastal Resources Committee; Grazing Lands and Public Lands Committee; and Environmental Policy Committee.
2. NACD will collaborate with the National Fire Center to match up districts with the area determined to be key areas for fuel reduction.
3. NACD will prepare press releases for districts on the cost of fires, mechanical fuel treatment to achieve hazardous fuels reduction, utilization of woody biomass and impact of National Fire Plan. These press releases will be used in local papers or other local media, i.e. fill in the blank type releases utilizing the local district names.
4. NACD will prepare materials for district use in their newsletters and annual reports to carry out the outreach function.
5. NACD will secure prepared material for use by districts for reaching their local public on the impact of fire, woody biomass reduction and utilization, and material relative to implementing the National Fire Plan.
6. Working with the Office of Wildland Fire Coordination and USDA Forest Service staff, NACD will develop a woody biomass outreach program utilizing small diameter wood as a way to reduce the cost of fire.
7. NACD will produce Fire Plan and woody biomass reduction and utilization success stories for national media outlets.
8. NACD will use Forestry Notes as its communication system to keep its federal partners aware of development in the Fire Plan.
9. NACD will use *NACD News & Views*, its national outreach publication, to disseminate information on the National Fire Plan and impact of fire to a broader audience. *News and Views* goes to 27,000 people including our Congressional offices.
10. NACD will produce and coordinate a "Speakers Bureau" on the woody biomass and National Fire Plan to be shared with the principal agencies involved, the National Association of Counties and the 3,000 conservation districts and affiliated 54 state associations. The purpose of the Speakers Bureau will be to assist in securing qualified speakers on the subject of woody biomass and the National Fire Plan for events where the public is invited.
11. NACD will use its website to cross link with principal agencies in the National Fire Plan.
12. NACD will feature woody biomass reduction and utilization and the National Fire Plan at its annual and regional meetings and assist in securing presentations at appropriate state association affiliate annual meetings.
13. NACD will prepare radio spots for district's use on the National Fire Plan and the impacts of fire.
14. NACD will assist in organizing and conducting field tours for the public to demonstrate fuel reduction, forest restoration and woody biomass thinning projects.
15. NACD will publicize the costs of fire to major magazines, making contact with editors for possible stories and articles.
16. NACD will provide information for inclusion in the DOI and USDA annual performance reports to Congress.

**Budget
2004-2005**

Travel	12,000
Equipment	-----
Supplies	6,800
Contractual	109,000
Other	
Regional Biomass	
Conference Planning	10,000
Printing & Mailing	34,000
NACD Committee	
Coordination	28,000
Indirect	<u>22,200</u>
 TOTAL	 \$222,000

**Budget
2005-2006**

Personnel	\$ 75,000
Travel	17,000
Equipment	-----
Supplies	20,000
Contractual	70,000
Other	
Regional Biomass	
Conference	25,000
Printing & Mailing	49,000
NACD Committee	
Coordination	28,000
Indirect	<u>28,000</u>
 TOTAL	 \$ 312,000

**Budget
2006-2007**

Personnel	\$ 75,000
Travel	18,000
Equipment	-----
Supplies	20,000
Contractual	70,000
Other	
Printing & Mailing	40,000
NACD Committee	
Coordination	28,000
Indirect	<u>25,000</u>
Total	\$276,000

Explanation of Budget Categories 2004 – 2005

Personnel -- NACD will assign various staff to carry out the project. Year one is a transition year with increased involvement in years two and three along with a corresponding cutback in contractual expenses.

Travel -- Budget for all NACD staff and contractual personnel involved in the project.

Supplies -- Office supplies, telephone and computer operational costs.

Contractual -- Reduced budgets for contractual services in years two and three reflect a shift to NACD personnel.

NACD Committee -- NACD staff and national resource policy coordination committees, namely the Water Resources; Urban, Community and Coastal Resources; Grazing Lands and Public Lands; and Environment and Resource Policy Committees have important roles in implementing the outreach function. This also involves more than 80 federal and state resource agency staff assigned by their respective agencies to assist the committees to implement their charter functions. The cost is primarily for travel within the year for the nine member committee on each committee.

**Memorandum of Understanding
On Policy Principles For**

**Woody Biomass Utilization for Restoration and Fuel Treatments
On Forests, Woodlands, and Rangelands**

**United States Department of Agriculture
And
United States Department of Energy
And
United States Department of the Interior**

THIS MEMORANDUM OF UNDERSTANDING (MOU) is hereby entered into by and among the United States Department of Agriculture, the United States Department of Energy, and the United States Department of the Interior.

Preamble: The Secretaries support the utilization of woody biomass by-products from restoration and fuels treatment projects wherever ecologically and economically appropriate and in accordance with the law.

A. PURPOSE:

The purpose of this MOU is to demonstrate a commitment to develop and apply consistent and complementary policies and procedures across three Federal departments to encourage utilization of woody biomass by-products that result from forest, woodland, and rangeland restoration and fuel treatments when ecologically, economically, and legally appropriate, and consistent with locally developed land management plans, by:

- Communicating to our employees and partners that the harvest and utilization of woody biomass by-products can be an effective restoration and hazardous fuel reduction tool that delivers economic and environmental benefits and efficiencies;
- Promoting consideration of woody biomass utilization from restoration and fuels treatment instead of burning or other on-site disposal methods; and
- Encouraging development of new mechanisms that increase the benefits and efficiencies of woody biomass utilization.

This MOU is intended to maximize the coordination and effectiveness of the Departments of the Interior (DOI), Agriculture (USDA), and Energy (DOE) in furthering the purposes set forth in this MOU.

B. STATEMENT OF MUTUAL INTERESTS:

Background: Today between 100 and 200 million acres of America's Federal lands are at risk of catastrophic wildfires in large part due to significant changes in forest and woodland structure that have occurred in the last century. Widespread wildfire suppression and past forest, woodland, and rangeland management activities have contributed to these changes. Innovative, large scale management is needed to restore at-risk ecosystems to healthy and resilient conditions.

In 2002, 7.2 million acres of Federal lands burned, nearly double the ten-year average. This followed the devastating 2000 wildfire season, during which over 8.4 million acres burned and which prompted development of the National Fire Plan. President Bush has focused attention on this issue in his Healthy Forests Initiative.

The President's Healthy Forests Initiative, the National Fire Plan and the joint Federal-State 10-year Comprehensive Strategy Implementation Plan all call for biomass and wood fiber utilization as an integral component of restoring our Nation's precious forests, woodlands, and rangelands. Biomass utilization can also meet a key objective of the National Energy Policy by contributing to diversification of the Nation's energy supply. Further, the August 20, 2002, *White House Report In Response to the National Energy Policy Recommendations to Increase Renewable Energy Production on Federal Lands* includes a Proposed Action (3.3) to "Establish a Biomass Initiative at the Department of the Interior." The Report was prepared by DOE and DOI but includes a number of actions by, and related to, USDA biomass utilization efforts. Coordination between DOI, USDA, and DOE is important to the success of these initiatives, as is working cooperatively with States, Tribes, private landowners, Non-Governmental Organizations, and other interested parties and potential partners.

In this MOU, *restoration* refers to those management actions that seek to restore forest, woodland, and/or rangeland health, including such things as thinning and other stocking control actions, species conversion, invasive species management, insect and disease management, and soil and water conservation actions. In this MOU, *fuels treatment* and *hazardous fuel reduction* are synonymous terms and refer to management actions that seek to reduce the rate of spread, intensity, resistance to control, and crowning potential of wildfires by reducing available fuel; examples include thinning, chipping, crushing, piling, burning, and actions that reduce or remove live and dead woody fuels. In this MOU, *woody biomass* is defined as the trees and woody plants, including limbs, tops, needles, leaves, and other woody parts, grown in a forest, woodland, or rangeland environment, that are the by-products of restoration and hazardous fuel reduction treatments. In this MOU, *woody biomass utilization* is defined as the harvest, sale, offer, trade, and/or utilization of woody biomass to produce the full range of wood products, including timber, engineered lumber, paper and pulp, furniture and value-added commodities, and bio-energy and/or bio-based products such as plastics, ethanol, and diesel.

Need for this MOU: USDA is responsible for the management of 192 million acres of National Forest System lands and for assisting in the management of 430 million acres of State and private forest lands. DOI is responsible for the management of 507 million acres of surface lands, of which approximately 120 million acres are forest and woodlands. DOE provides significant technical expertise in biomass energy and linkages to the renewable energy industry.

In addition, public assistance and grants programs administered by these three departments have positive benefits in capacity-building for woody biomass utilization in local communities, industries, and on private lands. Energy is a key market for low-value woody biomass, and DOE and USDA fund, support, and/or conduct a major share of the research concerning biomass energy alternatives.

Within the Federal family, these three departments profoundly affect whether and how woody biomass utilization is employed as a tool for forest, woodland, and rangeland restoration and fuels treatment. The development and implementation of consistent and complementary policies and procedures can help maximize Federal efficiency and effectiveness of woody biomass utilization.

Woody biomass utilization can help reduce or offset the cost and increase the quality of the restoration or hazardous fuel reduction treatments. Woody biomass utilization can also have additional value in that it may result in more diverse forest ecosystems, characterized by native flora and fauna, healthy watersheds, better air quality, improved scenic qualities, more fire-resilient landscapes, and reduced wildfire threats to communities, and may provide an alternative waste management strategy.

C. POLICY PRINCIPLES

DOI, DOE and USDA will use their statutory authorities to support the Principles listed below, as appropriate:

1) Include local communities, interested parties, and the general public in the formulation and consideration of woody biomass utilization strategies.

Examples:

- Communications that further the understanding that the implementation of the President's Healthy Forests Initiative and National Fire Plan go beyond Federal boundaries and affect local communities.
- Collaborative partnerships and public involvement programs and projects that provide value and enhance the economics, successes, and opportunities of utilizing woody biomass.
- Efforts to share knowledge and technology with community leaders, business owners, and private forest landowners.

2) Promote public understanding of the quantity and quality of woody biomass that may be made available from Federal lands and neighboring Tribal, State, and private forests, woodlands, and rangelands nationwide.

Examples:

- Inventory and analyze known geographic, transportation, and land use designation parameters.
- Evaluate woody biomass utilization capability in communities near restoration and hazardous fuel reduction areas on Federal lands.
- Verify fire condition classes of Federal forests and woodlands.
- Inventory and classify woody material by condition classes.
- Assist non-Federal partners with assessments of biomass quantity and availability on non-Federal lands.

3) Promote public understanding that woody biomass utilization may be an effective tool for restoration and fuels treatment projects.

Examples:

- Encourage science-based analysis at the appropriate land use planning level for decisions whether to make woody biomass available for utilization.
- Emphasize local efforts directed at woody biomass availability and utilization.
- Encourage market analysis or forest products appraisal to determine whether woody biomass utilization should have preference over disposal through chipping, crushing, burning, and/or other on-site disposal methods.
- Explore landscape-level analysis and fine-scale resolution of forests, woodlands, and rangelands to support management, restoration, and hazardous fuel reduction treatments.
- Encourage strategies for economic development in local and rural communities for value-added wood products and woody biomass utilization.

4) Develop and apply the best scientific knowledge pertaining to woody biomass utilization and forest management practices for reducing hazardous fuels and improving forest health.

Examples:

- Continue to expand knowledge of bio-based products and bio-energy from wood fiber using the Biomass Research and Development Act of 2000, the Farm Security and Rural Investment Act of 2002, and other applicable authorities.
- Strengthen research and development capacity for woody biomass products and energy research, and sustainable forest harvesting and processing systems for small diameter material.
- Assist States and private non-industrial landowners in using short-rotation cropping systems and developing low-value product markets.
- Map woody biomass utilization capacity.

5) Encourage the sustainable development and stabilization of woody biomass utilization markets.

Examples:

- Promote renewable energy marketing strategies to stimulate investments in woody biomass utilization.
- Support efforts to allow retail electric power customers an option to pay an appropriate premium to purchase electricity generated from woody biomass resulting from restoration or hazardous fuels treatments.
- Encourage the production and marketing of electric energy generated from woody biomass resulting from restoration or hazardous fuels treatment.
- Inform the public of available Federal financial assistance to encourage the utilization of woody biomass from restoration and hazardous fuels treatments.
- Explore biomass transportation cost subsidies from the forest to point of use, where doing so saves or avoids higher costs of treatments or fire-fighting in the future.
- Promote new utilization technologies and technology transfer, research, and development of bio-ethanol and other bio-based products.

6) Support Indian Tribes, as appropriate, in the development and establishment of woody biomass utilization within Tribal communities as a means of creating jobs, establishing infrastructure, and supporting new economic opportunities.

Examples:

- Encourage the use of guaranteed or insured loans under the Indian Financing Act, 25 USC §1451 et seq., to the extent permissible under existing law, including a possible set-aside for pilot projects that support development of woody biomass generation utilizing hazardous fuels and by-products of forest health treatments.
- Use the Buy Indian Act, 25 USC §47, to the extent permissible by law, in the purchase or procurement of woody biomass products resulting from Indian labor or industry.
- Provide technical and policy assistance to Tribal governments for the establishment of woody biomass programs.
- Assess extent of woody biomass fuels on Indian lands.

7) Explore opportunities to provide a reliable, sustainable supply of woody biomass.

Examples:

- Investigate the feasibility of long-term or renewable contracts for removal of woody biomass from Federal lands.
- Explore expanded use of contracting authorities and mechanisms for hazardous fuel reduction or restoration treatments on public lands.
- Expedite, as appropriate, environmental analysis and review for priority restoration and hazardous fuel reduction sites in Federal forests, woodlands, and rangelands.

8) Develop and apply meaningful measures of successful outcomes in woody biomass utilization.

Examples:

- Social, economic, and environmental sustainability measures.
- Measures of unit-cost reductions in hazardous fuel treatment and forest health treatment through offset by woody biomass utilization.
- Performance or workload measures to track targets and accomplishments in the offer and sale of woody biomass from Federal lands.

D. IT IS MUTUALLY UNDERSTOOD BY ALL PARTIES THAT:

1) AUTHORITIES. These Principles will be implemented under the relevant authorities of the three Departments that are parties to this MOU.

2) TERMINATION. Any of the three Departments may terminate its participation in and agreement to this MOU, in whole or in part, at any time.

3) PARTICIPATION IN SIMILAR ACTIVITIES. This MOU in no way restricts the three Departments from participating in similar activities with other public or private agencies, organizations, and individuals.

4) PRINCIPAL CONTACTS. The principal contacts for this agreement are:

John Sebelius	John Stewart	John Ferrell
USDA Forest Service	USDOJ	USDOE
Research and Development	Wildland Fire Coordination	Office of Energy Efficiency
P.O. Box 96090	Room 3060, Main Interior Bldg	and Renewable Energy
Washington, DC 20090	Washington, DC 20240	1000 Independence Ave, SW
		Washington, DC 20585-0121

5) NON-FUND OBLIGATION DOCUMENT. This MOU is neither a fiscal nor a funds obligation document. Nothing in this MOU authorizes or is intended to obligate the parties to expend, exchange, or reimburse funds, services, or supplies, or transfer or receive anything of value. If it is necessary to expend, exchange, or reimburse funds for any supplies or services, it will be accomplished under a separate contract or agreement approved by an authorized individual, and such expenditures are subject to the availability of appropriations.

6) NO RIGHT OF ACTION. This MOU is strictly for internal management purposes for the Federal Government. It is not legally enforceable and shall not be construed to create any legal obligation on the part of the signatory Secretaries or their respective Departments. This agreement shall not be construed to provide a private right or cause for action by any person or entity.

7) **MODIFICATION**. The Principles in this MOU are subject to relevant law, as it may be amended from time to time. Additionally, the parties may modify this MOU at any time by a written amendment executed by all parties.

8) **COMPLETION DATE**. This MOU is executed and made effective as of the last date shown below and shall expire ten years after such date.

THE PARTIES HERETO have executed this MOU.

/s/ Gale A. Norton
Gale A. Norton
Secretary of the Interior

June 18, 2003
Date

/s/ Spencer Abraham
Spencer Abraham
Secretary of Energy


June 17, 2003
Date

/s/ Ann M. Veneman
Ann M. Veneman
Secretary of Agriculture

June 16, 2003
Date

APPLICATION FOR
FEDERAL ASSISTANCE

OMB Approval No. 0348-0043

TYPE OF SUBMISSION: Application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction Preapplication <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		2. DATE SUBMITTED May 21, 2004	Applicant Identifier BLM Fire 04
		3. DATE RECEIVED BY STATE	State Application Identifier
		4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier
5. APPLICANT INFORMATION			
Legal Name: National Association of Conservation Districts		Organizational Unit:	
Address (give city, county, State, and zip code): 509 Capitol Court, NE Washington, DC 20002		Name and telephone number of person to be contacted on matters involving this application (give area code) Eugene Lamb, 202-547-6223	
6. EMPLOYER IDENTIFICATION NUMBER (EIN): 7 4 - 1 1 6 2 7 7 3		7. TYPE OF APPLICANT: (enter appropriate letter in box) <div style="display: flex; justify-content: space-between;"> <div> A. State B. County C. Municipal D. Township E. Interstate F. Intermunicipal G. Special District </div> <div> H. Independent School Dist. I. State Controlled Institution of Higher Learning J. Private University K. Indian Tribe L. Individual M. Profit Organization N. Other (Specify) <u>501(c)(3)</u> </div> </div> <div style="text-align: right; margin-top: -20px;">N</div>	
8. TYPE OF APPLICATION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) <input type="checkbox"/> <input type="checkbox"/> A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration Other(specify): _____		9. NAME OF FEDERAL AGENCY: USDA Natural Resources Conservation Service	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 1 5 - 2 2 8 TITLE: Soil Conservation		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: Wildland Urban Urban Interface Community and Rural Fire Assistance	
12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): Nationwide			
13. PROPOSED PROJECT		14. CONGRESSIONAL DISTRICTS OF:	
Start Date 6/1/04	Ending Date 9/30/07	a. Applicant DC at large	b. Project Nationwide
15. ESTIMATED FUNDING:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
a. Federal	\$ 222,000 ⁰⁰	a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON: DATE _____ b. No. <input checked="" type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372 <input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
b. Applicant	\$ ⁰⁰		
c. State	\$ ⁰⁰		
d. Local	\$ ⁰⁰		
e. Other	\$ ⁰⁰		
f. Program Income	\$ ⁰⁰		
g. TOTAL	\$ 222,000 ⁰⁰	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?	
		<input type="checkbox"/> Yes If "Yes," attach an explanation. <input checked="" type="checkbox"/> No	
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.			
Type Name of Authorized Representative Eugene Lamb		b. Title Senior Policy Analyst	c. Telephone Number (202) 547-6223
d. Signature of Authorized Representative 		e. Date Signed 5/21/02	

BUDGET INFORMATION - non-Construction Programs

SECTION A - BUDGET SUMMARY								
Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget				
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)		
1. Woody Biomass	15.228	\$	\$	\$ 222,000.00	\$ 0.00	\$ 222,000.00		
2.						0.00		
3.						0.00		
4.						0.00		
5. Totals		\$ 0.00	\$ 0.00	\$ 222,000.00	\$ 0.00	\$ 222,000.00		
SECTION B - BUDGET CATEGORIES								
Object Class Categories		GRANT PROGRAM, FUNCTION OR ACTIVITY						
		(1)	NRCS	(2)	NACD	(3)	(4)	Total (5)
a. Personnel		\$		\$		\$		\$ 0.00
b. Fringe Benefits								0.00
c. Travel			40,000.00					40,000.00
d. Equipment								0.00
e. Supplies			6,800.00					6,800.00
f. Contractual			119,000.00					119,000.00
g. Construction								0.00
h. Other			34,000.00					34,000.00
i. Total Direct Charges (sum of 6a-6h)			199,800.00		0.00	0.00		199,800.00
j. Indirect Charges			22,200.00					22,200.00
k. TOTALS (sum of 6i and 6j)		\$	222,000.00	\$	0.00	\$ 0.00	\$	222,000.00
7. Program Income		\$		\$		\$		\$ 0.00

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Standard Form 424A (Rev. 7-97)
Prescribed by OMB Circular A-102

SECTION C - NON-FEDERAL RESOURCES					
(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS	
8. Woody Biomass Utilization	\$	\$	\$	\$	0.00
9.					0.00
10.					0.00
11.					0.00
12. TOTAL (sum of lines 8-11)	\$	0.00 \$	0.00 \$	0.00 \$	0.00
SECTION D - FORECASTED CASH NEEDS					
	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$ 222,000.00	\$ 55,500.00	\$ 55,500.00	\$ 55,500.00	\$ 55,500.00
14. Non-Federal	0.00				
15. TOTAL (sum of lines 13 and 14)	\$ 222,000.00	\$ 55,500.00	\$ 55,500.00	\$ 55,500.00	\$ 55,500.00
SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT					
(a) Grant Program	FUTURE FUNDING PERIODS (Years)				
	(b) First	(c) Second	(d) Third	(e) Fourth	
16. Woody Biomass Utilization	\$ 312,000.00	\$ 276,000.00	\$	\$	
17.					
18.					
19.					
20. TOTAL (sum of lines 16-19)	\$ 312,000.00	\$ 276,000.00	\$ 0.00	\$	0.00
SECTION F - OTHER BUDGET INFORMATION					
21. Direct Charges: \$199,800					
22. Indirect Charges: \$22,200					
23. Remarks: 11%					

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ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

U.S. Department of the Interior

**Certifications Regarding Debarment, Suspension and
Other Responsibility Matters, Drug-Free Workplace
Requirements and Lobbying**

Persons signing this form should refer to the regulations referenced below for complete instructions:

Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions - The prospective primary participant further agrees by submitting this proposal that it will include the clause titled, "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. See below for language to be used or use this form for certification and sign. (See Appendix A of Subpart D of 43 CFR Part 12.)

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions - (See Appendix B of Subpart D of 43 CFR Part 12.)

Certification Regarding Drug-Free Workplace Requirements - Alternate I. (Grantees Other Than Individuals) and Alternate II. (Grantees Who are Individuals) - (See Appendix C of Subpart D of 43 CFR Part 12)

Signature on this form provides for compliance with certification requirements under 43 CFR Parts 12 and 18. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of the Interior determines to award the covered transaction, grant, cooperative agreement or loan.

PART A: Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions

CHECK ☒ IF THIS CERTIFICATION IS FOR A PRIMARY COVERED TRANSACTION AND IS APPLICABLE.

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
 - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**PART B: Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -
Lower Tier Covered Transactions**

CHECK IF THIS CERTIFICATION IS FOR A LOWER TIER COVERED TRANSACTION AND IS APPLICABLE.

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

DI-2010
June 1995
(This form replaces DI-1953, DI-1954,
DI-1955, DI-1956 and DI-1963)

PART C: Certification Regarding Drug-Free Workplace Requirements

CHECK IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS NOT AN INDIVIDUAL.

Alternate I. (Grantees Other Than Individuals)

A. The grantee certifies that it will or continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about--
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will --
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification numbers(s) of each affected grant;
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted --
 - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a) (b), (c), (d), (e) and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

NACD

509 Capitol Court, NE

Washington, DC 20002

Check ☒ if there are workplaces on file that are not identified here.

PART D: Certification Regarding Drug-Free Workplace Requirements

CHECK IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS AN INDIVIDUAL.

Alternate II. (Grantees Who Are Individuals)

- (a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;
- (b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to the grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

1953, DI-1954,
DI-1955, DI-1956 and DI-1963)

DI-2010
June 1995
(This form replaces DI-

PART E: Certification Regarding Lobbying
Certification for Contracts, Grants, Loans, and Cooperative Agreements

*CHECK IF CERTIFICATION IS FOR THE AWARD OF ANY OF THE FOLLOWING AND
THE AMOUNT EXCEEDS \$100,000: A FEDERAL GRANT OR COOPERATIVE AGREEMENT;
SUBCONTRACT, OR SUBGRANT UNDER THE GRANT OR COOPERATIVE AGREEMENT.*

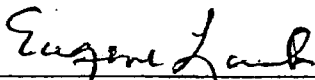
*CHECK IF CERTIFICATION IS FOR THE AWARD OF A FEDERAL
LOAN EXCEEDING THE AMOUNT OF \$150,000, OR A SUBGRANT OR
SUBCONTRACT EXCEEDING \$100,000, UNDER THE LOAN.*

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

As the authorized certifying official, I hereby certify that the above specified certifications are true.



SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

Eugene Lamb, Senior Policy Analyst

TYPED NAME AND TITLE

5/20/2004

DATE



United States
Department of
Agriculture

Forest
Service

Washington Office

14th & Independence SW
P.O. Box 96090
Washington, DC 20090-6090

March 3, 2005

Al Murphy
Bureau of Land Management
Bureau of Land Management
3833 South Development Blvd.
Boise, ID 38705

3/9/05

TOOK ORIGINAL TO SHARI STEWART -
She will take care of getting this done
for FS. DU

Reference: Grant/Agreement Number 04-IA-11132544-137
Title: NACD to promote and encourage the use of Wood Biomass., 3/1/2004
Forest Service Funds: \$380,000

Dear Al Murphy,

As a grantee/cooperator/agency partner with the USDA, Forest Service, this letter requests that you provide financial information regarding accomplishments under the referenced instrument shown above. The information includes a breakdown of the work you have completed but for which you have yet to invoice. The data you provide plays an integral role in ensuring the Forest Service maintains accurate and complete financial statements. If you are a cooperator who is providing cost or in-kind share, please include only amounts related to Forest Service funding in your response. The amount of Forest Service funding on your agreement is shown above.

Please provide the following statement, completed with the requested information, to the designated Forest Service Representative for the grant or agreement shown below no later than March 21, 2005. Please provide this information to us by hard copy, fax or e-mail.

The collection of financial data will be a Forest Service standard accounting practice in the future for all grant or agreement recipients. Additional information will be forwarded identifying specific dates and requirements for future quarterly based submission of financial data.

Please provide your submission of this information by close of business March 21, 2005, to the Forest Service representative shown below. For your convenience, you may fax or email this completed letter to us.

Teresa Jones
USDA Forest Service

Telephone Number: (703) 605-4870
Fax Number: (703) 605-5100
Email: fs_grants_agreements_accrual@fs.fed.us

"Under grant/agreement 04-IA-11132544-137, at the close of the quarter ending March 30, 2005, the grantee/cooperator Bureau of Land Management anticipates incurring the following total cumulative value of work on the project using Forest Service funds: \$_____.

Of this amount, \$_____ has been invoiced and \$_____ has not been invoiced."

Note: the cumulative value of work on the project includes the total of all payments previously paid, payments that are pending, and work not yet invoiced.

We appreciate your cooperation with this request, and value your continued business relationship. If you have any questions, or need additional information, please contact the specialist listed above, or you may contact me at (703) 605-4664.

Sincerely,
Melissa J. Jones
Assistant Director, Grants, Agreements and Property



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